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CENTRAL FAX CENTER****DEC 19 2005****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Michael A. Pellico Confirmation No. 7064
Application No. : 10/758,915
Filed : January 16, 2004
Title : INCREASED PEROXIDE CONTENT TOOTH BLEACHING GEL

Grp./Div. : 1614
Examiner : Frederick F. Krass

Docket No. : 51831/D279

**TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
December 19, 2005

Commissioner:

I hereby certify that I am the attorney of record in this application and am authorized to execute this disclaimer on behalf of the assignee; and I further certify that the evidentiary documents have been reviewed and that assignee, to the best of my knowledge and belief, has title to the above-identified application.

DISCUS DENTAL, INC., a California corporation having a place of business at 8550 Higuera Street, Culver City, California 90232 represents: (a) that it is the assignee of the entire interest in U.S. patent Application No.10/758,915, filed January 16, 2004, and entitled INCREASED PEROXIDE CONTENT TOOTH BLEACHING GEL, by virtue of the assignment recorded in the United States Patent and Trademark Office at reel 011446, frame 0835.

DISCUS DENTAL, INC. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/045,184 filed on October 18, 2004, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall

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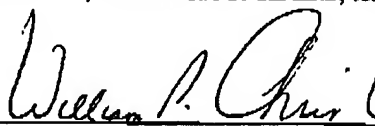
Application No. 10/758,915

be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 
William P. Christie
Reg. No. 29,371
626/795-9900

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on December 19, 2005.


Kristen M. Geraci

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Customer No. : 23363

Confirmation No. 7064

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**TRANSMITTAL FOR TERMINAL DISCLAIMER TO
OBVIATE A DOUBLE PATENTING REJECTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
December 19, 2005


Commissioner:

Enclosed is a Terminal Disclaimer to Obviate a Double Patenting Rejection and the statutory fee of \$130 is to be charged to Deposit Account No. 03-1728.

Any deficiency or overpayment should be charged or credited to Deposit Account No. 03-1728. Please show our docket number with any credit or charge to our Deposit Account.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 
William P. Christie
Reg. No. 29,371
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WPC/kmg

Enclosures: Terminal Disclaimer
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